

EXHIBIT F

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION

ROBERT BERG,
Plaintiff,
- against -

M & F WESTERN PRODUCTS, INC.,
Defendant.

Case No. 6:19-cv-418-JDK

**PLAINTIFF ROBERT BERG'S ANSWERS AND OBJECTIONS TO
DEFENDANT'S FIRST SET OF INTERROGATORIES**

Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Plaintiff Robert Berg (“Berg”), by its counsel, Liebowitz Law Firm, PLLC, hereby answers and objects to Defendant M & F Western Products, Inc.’s First Set of Interrogatories (the “Interrogatories,” and each individually, a “Interrogatory”) as follows:

GENERAL OBJECTIONS

Plaintiff makes the following General Objections to the Interrogatories. These General Objections apply to each of the Interrogatories, set forth immediately below, and are incorporated therein by reference. The Specific Objections, even if the same or similar, do not waive the General Objections. Answering any Specific Interrogatory shall not be construed as an admission that the Defendant is entitled to any response more specific than provided:

1. Plaintiff objects to Instructions, Definitions, and Interrogatories that impose duties or obligations beyond, or inconsistent with, those set forth in Local Rules and the Federal Rules.
2. Plaintiff objects to the extent the Interrogatories seek information outside the scope of this proceeding. To the extent that the information sought is not relevant nor

extent you allege someone told you that M&F Western was “infringing”, please identify the person, the date of the communication and the contents of the communication. To the extent you allege personal knowledge, please state the basis for that personal knowledge.

Answer to Interrogatory No. 9: Plaintiff discovered Defendant’s infringement in mid to late 2019 after Plaintiff received notice from the Federal Bureau of Investigation that Plaintiff could pursue justice after waiting two years in silence waiting on Benchmark case. After receiving such notification, Plaintiff employed his IT personnel to search the internet for all unauthorized users of Plaintiff’s copyrighted designs.

Interrogatory No. 10: Identify all issues known by you that preclude you from traveling to the United States, including identifying all Visa Issues with specificity. Include in your answer a description of the issues and the date of their occurrence.

Answer to Interrogatory No. 10: Plaintiff, who is of Australian national origin and not a U.S. citizen, currently resides in Vietnam. His visa application to travel to the United States was initially denied after his permanent resident card in the United States was cancelled. After Plaintiff’s first attempt to apply for a visa was unsuccessful, he made a second attempt after the current health pandemic arose in mid-March 2020. However, Plaintiff was informed that no new visas are being granted until further notice.

Interrogatory No. 11: Identify all criminal charges that have ever been brought against you in the United States and/or foreign jurisdictions, and whether you were convicted of those charges.

Answer to Interrogatory No. 11: Plaintiff objects to Interrogatory No. 11 on grounds that it seeks information that is overly broad, disproportionate to the needs of the case, and not calculated to lead to the introduction of admissible evidence. Accordingly, no further response is required.

Interrogatory No. 12: Identify all lawsuits involving the Berg copyright registrations asserted in this case.

Answer to Interrogatory No. 12: *Berg v. Symons*, Case No. 4:03-cv-02683 (S.D. Texas);

Interrogatory No. 13: Identify all damages you have suffered as a result of the alleged infringement and the facts supporting those alleged damages.

Answer to Interrogatory No. 13: To be determined at trial.

Interrogatory No. 14: Identify all judgments involving Berg or any copyright ever obtained by or for Berg.

Answer to Interrogatory No. 14: See *Berg v. Symons*, 393 F. Supp. 2d 525 (S.D. Tex. 2005).